

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JOHN LARMAR BARNES,

Case No. C-1-02-101

Plaintiff.

Judge Spiegel

-vs-

MATTHEW THOMAS,

Defendant.

MOTION FOR CONTINUANCE

Now comes Plaintiff, John Barnes, by and through counsel, and respectfully moves this Court for a continuance of the trial date set for April 4, 2005. This request is made due to the undersign previously had surgery earlier this month and had been under extensive medications, but wanted to preserve the above-set date for trial. Counsel has had lack of communication with some of the witnesses, especially Dr. Clinchot, due to the two-week period of being under heavy medications and bed ridden. It was thought that a videoconference should due, but the better approach would be a video deposition. Therefore, a continuance of the trial date would permit Plaintiff's counsel not only to do a video deposition of Dr. Clinchot, it would also provide the parties additional time to negotiate a settlement if Defendant is interested.

Respectfully submitted,

s/Derek A. Farmer

Derek A. Farmer

Derek A. Farmer & Associates, Co., LPA

630 Morrison Rd., Suite 160

Columbus, Ohio 43230

(614) 759-0123

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was electronically served on Marianne Pressman, Assistant Attorney General, 1600 Carew Tower, 441 Vine Street, Cincinnati, Ohio 45202 this 30TH day of March 2005.

s/Derek A. Farmer
Derek A. Farmer